PLANNING COMMISSION REPORT



MEETING DATE: SEPTEMBER 29, 2004 ITEM NO. GOAL: Coordin	ate Planning	to Balance	Infrastructure
---	--------------	------------	----------------

SUBJECT

Miller & McDonald - 6-GP-2004

REQUEST

Request a General Plan Land Use Element Amendment from Rural Neighborhoods to Office on a 4 +/- acre parcel located at 5975 N Miller Road (Southeast corner of McDonald Drive & Miller Road).

Key Items for Consideration:

- Office land use designation exists along majority of the south-side frontage of McDonald Drive.
- This request would extend the Office land use designation to the east along the south side of McDonald Drive from Scottsdale Road to Miller Road.
- Based on the Land Use analysis, there will be an increase in traffic on adjoining streets, water usage, and wastewater generation, changing from the existing land use designation of Rural Neighborhoods.

Related Policies, References:

12-ZN-2004 is the associated zoning case with this General Plan amendment and proposes to revise the zoning district from R1-43 (Single Family Residential) to S-R (Service Residential).

OWNER

Arizona American Water Company 623-445-2403

APPLICANT CONTACT

Jason Kack

DEI Professional Services

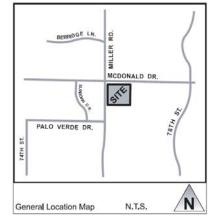
602-954-0038

LOCATION

BACKGROUND

5975 N Miller Rd (Southeast corner of Miller and McDonald Drive)

General Plan.



The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes areas of relatively large lot singlefamily neighborhoods. Densities in Rural Neighborhoods are usually one house per acre (or more) of land. South of the C.A.P. Canal, these neighborhoods often take on a rural and/or equestrian character when compared to surrounding areas that have smaller, suburban lots.

Major Amendment.

Growing Smarter Acts (state statutes) required the City Council to establish criteria for a major amendment to the General Plan. The Scottsdale City Council established the criteria for a major General Plan amendment in February 2001. Those criteria are a part of the city's General Plan, and include a land use change matrix, a size criteria, and Character Area and Water/Wastewater Infrastructure criteria. (See attachment 4). If a proposed change meets any of the criteria, the proposal constitutes a major amendment to the General Plan. A land use change from Suburban Neighborhoods to a Minor Office or an Office designation is considered a major amendment, regardless of the size of the parcel.

Context.

The surrounding properties have the following General Plan land use designations: Office and Rural Neighborhoods to the west; Office and Cultural/Institutional to the north and northwest; Public Use (Canal) and Urban Neighborhoods to the east, and Rural Neighborhoods to the south. A water treatment facility is located immediately to the south of this property.

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

The goal of this proposal is to amend the General Plan Land Use Element from Rural Neighborhoods to Office on a 4-acre +/- parcel on the south side of McDonald Drive between the Arizona Canal and Miller Road.

GENERAL PLAN
ELEMENT ANALYSIS

Land Use

The existing land use designation for Rural Neighborhoods allows residential densities of one home per acre (or more) of land. This rural designation occurs in and around the McDonald Drive frontage, but is primarily concentrated north and south of existing Office designations. The existing land use designation is appropriate and would maintain this areas rural land use by allowing large lot single family uses or other uses allowed in the underlying single-family district.

The area also has an established Office land use designation in close proximity. The Office land use designation would continue the transition from McDonald Drive, a road with a freeway connection 2 miles to the east. The development of the property provides an opportunity for an infill project that will serve to buffer homes from the water treatment plant to the south of the proposed office uses. Using the "minor" office description in the General Plan Land Use Element text, this use is proposed to be an office use that has a residential scale and character. This scale and character are dependent on the underlying zoning districts development standards.

Character and Design

The concern for this area is maintaining the rural character along McDonald and Cattletrack/Miller roads. The General Plan has long held this area as a rural enclave surrounded by more intense suburban uses. The proposal of a low intensity office complex may fit into the rural character if attention is paid to the scale and design of the buildings and open spaces.

The Character and Design element emphasizes good design by sensitively responding to the character of the surrounding natural and built settings. Special attention should be paid to ensure that this project promotes design consistent with the goal as the project goes through the zoning and Development Review process.

Economic Vitality

This proposal could have a minor positive impact on economic growth and will serve the local area.

Community Involvement.

The goal of seeking early and ongoing involvement in project discussions is discussed in the Community Involvement Element. Specifically, one of the approaches states that the project developer/owner should be able to demonstrate citizen involvement and how comments were incorporated into the proposal recommendations.

The developer has worked with the surrounding neighborhoods and copies of the correspondence are in the case file. A city-sponsored informational open house was held on June 14 for this major General Plan amendment. Some negative comments were received at the open house and also by staff relating to increased traffic, especially traffic cutting through the adjacent Sundown Estates neighborhood and increased traffic at the McDonald/ Miller intersection, which was already deemed to have congestion during rush hours. Other concerns related to limiting or disruption of views of Camelback Mountain, noise and lighting.

Housing

The Housing Element emphasizes choice and opportunity in housing. This proposal does not have substantial impact on housing.

Neighborhoods

The proposal will add an office component to existing single-family residential neighborhoods and residentially scaled office buildings to the north and west, providing additional neighborhood services.

Open Space and Recreation

The proposal states the intention to respect the setbacks and to enhance the Arizona Canal corridor on the property's east side. Landscaping and open space character is proposed to be consistent with the canal corridor treatment as well as the Miller Road and McDonald Road existing themes.

Preservation and Environmental Planning

This proposal does not have a substantial impact on the city's preservation or environmental planning efforts.

Cost of Development

This proposal does not have an impact on the city's ability to provide public

services or infrastructure or capital facilities development.

Growth Areas

This proposal is not in the identified growth areas or activity areas where concentrated development should be focused.

Public Facilities and Services

This proposed General Plan change will have an estimated increase in water use of 12 acre-feet per year. Wastewater generated is expected to be approximately 10 acre-feet per year. This is a minimal impact and will not affect the goals or approaches of the Public Services and Facilities element.

Community Mobility

The parcel is currently vacant, so there will be an increase of traffic on the adjoining streets. If the property were to be developed as Rural Neighborhoods with single-family homes, there would also be a traffic increase, but not as much as with an Office use, therefore, care must be taken to mitigate negative impacts of this traffic, especially to residents on the north side of McDonald Road along Cattletrack Road. The nearest roadway of significance to the citywide mobility system is McDonald Drive. Pedestrian connections along McDonald and Miller Roads will be completed with this project, supporting the goals of the Mobility Element. McDonald Drive has a freeway interchange approximately two miles to the east.

STAFF
RECOMMENDATION
RESPONSIBLE
DEPT(S)

Staff recommends approval.

Planning and Development Services Department

Planning and Design Services

STAFF CONTACT(S)

Al Ward Senior Planner 480-312-7067

E-mail: award@ScottsdaleAZ.gov

Teresa Huish Senior Planner 480-312-7829

E-mail: thuish@ScottsdaleAZ.gov

APPROVED BY

Teresa Huish Report Author

Kurt Jones, AICP

Director, Current Planning

ATTACHMENTS

- 1. Applicant's Narrative
- 2. Context Aerial
- 2A. Aerial Close-Up
- 3. Existing Land Use Map
- 3A. Proposed Land Use Map
- 4. Major General Plan Amendment Criteria
- 5. Zoning Map
- 6. City Notification Map
- 7. August 18, 2004 Planning Commission Minutes

Project Narrative

We propose an infill development of the subject property for office use in concert with the standards of an S.R. zoning district. The project will entail 2 buildings, adjoining lengthwise along McDonald Drive and occupying the northwest corner off of Miller and McDonald. Parking will be located between the proposed buildings and the existing water treatment plan. Setbacks per the S.R. zone will be met or exceeded.

The effect of development will enhance the community providing visual and effective screening of the treatment plan from main roads and adjoining properties. Proposed use will effectively transition between adjoining uses of multifamily, S.R. and CO. zones.

Application of General Plan Principles

Character and Lifestyle

The subject site is part of the Rural Community Character area as defined in the General Plan. Proposed SR use embraces the lowest density possible of commercial application. The property is currently devoid of native vegetation, and somewhat derelict as a lot. Development will provide opportunity to bring in desert landscaping and scaled elements consistent with rural character.

The proposed land use, being consistent with the adjoining in the area, completes a contextual dynamic as an infill project. As an SR use focusing on professional offices, it will serve the community economic base, yet maintain a low density level. The project further serves to address by mitigation the visual impact of the adjoining water treatment facility.

Economic Vitality

The project proposes professional offices in an area already well established with that use. An additional 27,500 s.f. of office will strengthen the core of this area in the professional service sector. A developed property will provide jobs, tax base, and economic activities consistent with Scottsdale Lifestyles. Development will protect the integrity of and enhance adjoining neighborhood values eliminating an isolated by derelict condition. It will create a lasting sustainable component of the economic area capability.

Neighborhoods

We are actively pursuing public input in concert with the proposed development. Several letters have been received to date subsequent to our neighborhood notification. Reactions have been positive to encouraging. We are midstream in our public involvement program and look forward to continuing forums, meetings, and all manner of input from neighbors and interested public.

Existing multi-family housing occurs to the East of the proposed project, on the other side of the Arizona Canal. Low density single family exists in more distant proximity to the proposed. Development of proposed will change an unattractive and undeveloped lot into a complete developed property. The effect will be to stabilize and enhance area residential values and beautify the neighborhood.

Open Space

The property adjoins the Arizona Canal to the east. Development proposes to respect by setback and application of appropriate elements the experience of the canal corridor. Landscaping consistent with canal corridor treatment as integrated into the rural character zone will be provided for enhancement and continuity. The proposed SR use of low density by definition will ensure meaningful percentage of open space over the gross property.

Landscape and open space character established along Miller Road and McDonald Drive will be continued and maintained.

Sustainability

The property is an undeveloped lot as left over from the accommodation of a public utility improvement project. The owners have identified that it's use in concert with the treatment facility is not currently needed nor anticipated in the future. The property's potential for best value and contribution to the community has been identified and proposed here in. Development will create a viable scenario for revenue generating space in a sustainable manner. Development will pay for improvements along Miller Road and McDonald Drive completing visual and service infrastructure in the neighborhood. An additional tax base will be provided along with job and entrepreneurial opportunity.

A most meaningful application of growth principles is demonstrated. An infill condition is proposed where little to no impact will affect existing services and infrastructure. The low demand nature of the proposed use will not put undo burden upon utilities and services.

Transportation

Road ways abutting and servicing the proposed property are established and in. The proposed low density SR use will not generate additional traffic volumes to strain the capacities of existing arterial and collector natures of McDonald Drive and Miller Roads respectively. Development will enhance pedestrian, bicycle and non motorized mobility by completing sidewalk portions along the two roads, and beautify adjoining conditions to the circulation system of the Arizona Canal.

10. Perhaps the argument could be made that any commercial development within the Rural Community Character area would be a deviation form the General plan. We believe, however, the property is defined by unique circumstances and characteristics and that development can occur consistent with the goals of rural character.

First, it is an infill property, adjoining existing similar uses.

Second, it proposes the lowest density commercial use type.

Third, it will serve to mitigate the impact of the existing water treatment plan to the south.

Fourth, as a developed property it will serve to complete area development eliminating derelict conditions of an unimproved property.

We believe the proposed is consistent with all other aspects of the general plan with regard to Economic Vitality, Neighborhood, Open Space, Sustainability, and Transportation.

11. Scenic and Vista Corridors- the project will complete streetscape enhancements along McDonald Drive and Miller Road and respect and beautify elements adjoining the Arizona Canal.

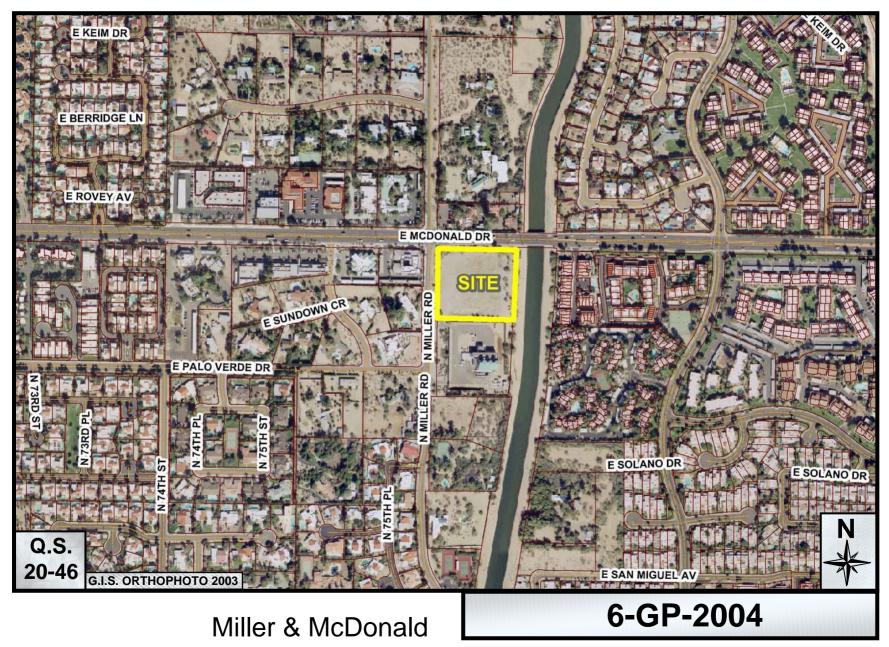
Character Area- (Rural) Development proposes low density single story buildings. Parking is located between the proposed buildings and the treatment plant to the south to minimize it's impact visually and functionally. A site devoid of native landscape will be developed in the appropriate Rural Character.

Neighborhood Plans- Proposed is contextual with adjoining SR uses and will serve as an appropriate transitional use adjoining multi family housing to the east. There is also significant physical separation from the east multi family because of the Arizona Canal.

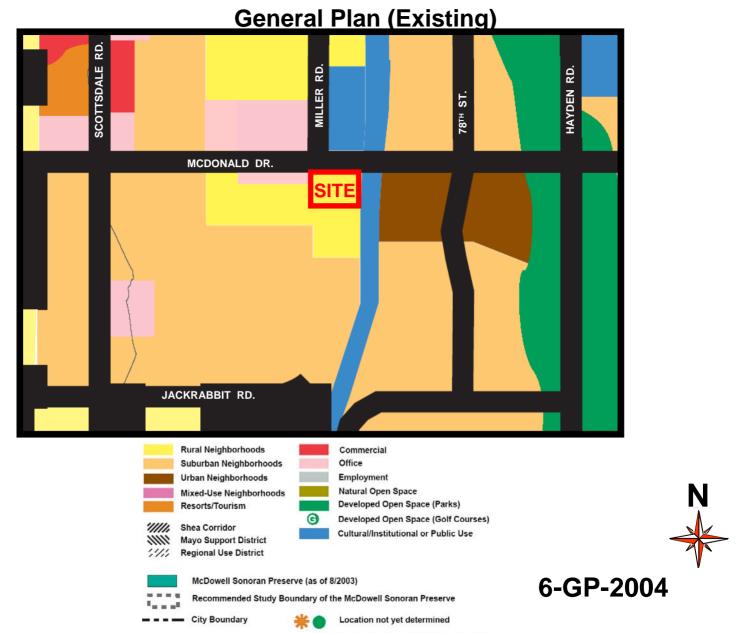
Housing Diversity- Proposed will provide service and economic opportunity to existing residential base in the area. Development of the now unimproved property will stabilize or enhance adjoining residential property values.

Economic Diversity- A sustainable professional office use is proposed as is consistent with the area context. Employment, entrepreneurial opportunity, and expanded tax base area provided.

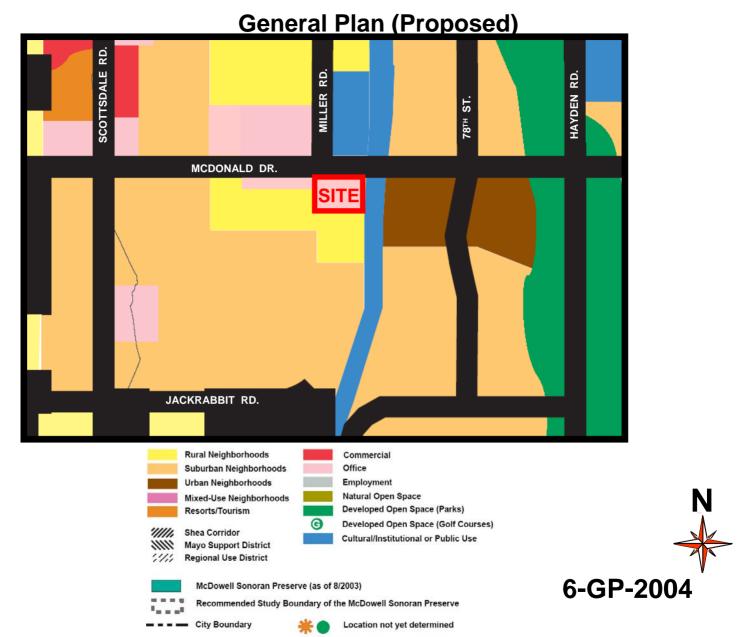
Transportation Accessibility-Improvements along Miller Road and McDonald Drive will be provided for functional and aesthetic requirements. Pedestrian mobility will be provided where it currently does not exist. The path along the Arizona Canal will be respected and enhanced by beautification of the adjoining conditions.







Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of August 2003
Revised to reflect Case 4-GP-2002, adopted by City Council October 29, 2002



Criteria for a Major Amendment to the 2001 Scottsdale General Plan

(City Council approved 10/30/01)

Scottsdale's Mission: In guiding the formation of the major amendment criteria, it is important to consider the major mission elements of the city, these being –

- a. Preserve Scottsdale's unique southwestern character,
- b. Plan for and manage growth in harmony with the natural desert surroundings,
- c. Promote the livability of the community,
- d. Enhance and protect neighborhoods, and
- e. Ensure and sustain the quality of life for all residents and visitors.

Proposed changes to the land use element of the city's General Plan that compromise the spirit and intent of these mission statements will qualify for consideration as a major amendment to the General Plan.

Scottsdale's Land Use Element: It is important that as proposals are considered in regard to the following criteria that the values and structure of the land use element be used as a guide. These values are an important part of the city's land use plan:

- a. Land uses should respect the natural and man-made environment,
- b. Land uses should provide for an unsurpassed quality of life for both its citizens and visitors,
- c. Land uses should contribute to the unique identity that is Scottsdale,
- d. Land uses should contribute to the building of community unity and cohesiveness,
- e. Land uses should work in concert with transportation systems in order to promote choice and reduce negative impacts upon the lifestyle of citizens and the quality of the environment,
- f. Land uses should be balanced in order to allow for the community to provide adequate live, work and play opportunities, and
- g. Land uses should provide opportunities for the design of uses to fit and respect the character, scale and quality of uses that exist in the community.

It is recognized that a proposed change of land uses within any given portion of the city may have a substantial impact upon the balance of land uses within the city as a whole. The General Plan Land Use Element was formulated and adopted with full consideration of the character and balance of land uses that are appropriate within all distinct areas of the city. Beyond this level of consideration, the plan considers the relationships between and among the various planning areas and studies that have helped to build the plan. This leads to a balance and pattern of land uses that reflects the community's values, aspirations and the city's stated mission.

Character of Land Uses: A change in the planned land uses may have a substantial impact upon the city by transforming the character of the land uses within a given planning area. The character of the land uses may be indicated by the physical intensity of the use in terms of massing, height or relationships between uses; the blending of different types of uses and the patterns and scale inherent to each; or the relative amount, type and placement of open spaces. Significant changes in the established land use character will be considered in determining whether or not a proposal is a major amendment.

Criteria: An amendment to the Land Use Element of Scottsdale's General Plan shall be defined as a major amendment if it meets any one of the following criteria:

1. Change in Land Use Category

A change in the land use category on the land use plan that changes the land use character from one type to another as delineated in the following table:

	To:	Group A	Group B	Group C	Group D	Group E
From:	Land Use Plan Category					
Group A	Rural Neighborhoods Natural Open Space		Yes	Yes	Yes	Yes
Group B	Suburban Neighborhoods Developed Open Space Cultural/ Institutional or Public Use			Yes	Yes	Yes
Group C	Urban Neighborhoods Resorts/Tourism	Yes				Yes
Group D	Neighborhood Commercial Minor Office Minor Employment	Yes	Yes			Yes
Group E	Commercial Office Employment Mixed Use Regional Use Overlay	Yes	Yes			

2a. Area of Change Criteria

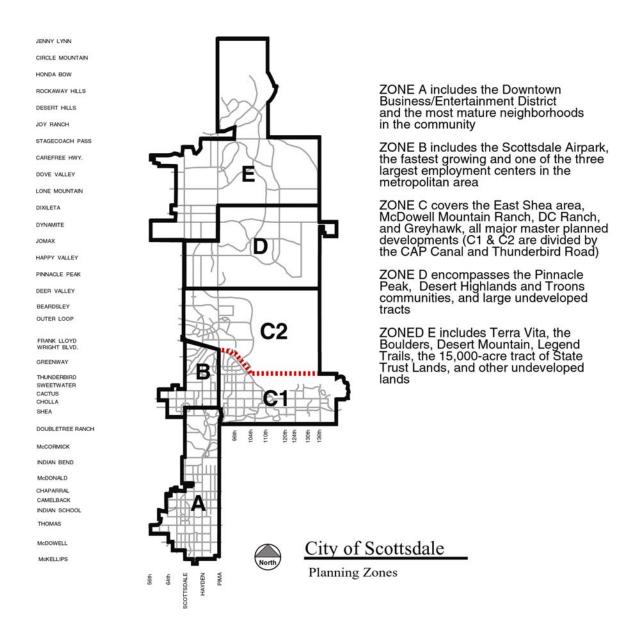
A change in the land use designation that includes the following gross acreages:

* Planning Zones A, B

10 acres or more

* Planning Zone C1, C2, D and E

15 acres or more



2b. Acreage Criteria Overriding Incentives

Certain exceptions to these criteria (2a.) are considered to be in the interest of the general public and in keeping with the mission and values of the community. A proposal that includes any of the following conditions will not be considered as a major amendment:

- A property owner initiated decrease in the residential land use category of units planned by the land use element, or
- A proposal for a change in the land use designation that results in no increase in the planned number of dwelling units <u>and</u> includes at least 30% more Natural Area Open Space than is required by the Environmentally Sensitive Lands Ordinance for the property and that is:
 - of substantial size, that being at least seven or more contiguous acres, and protected in such a manner so as to be designated with the land use category of Natural Area Open Space
 - and where such open space protects sensitive natural features and is visually and/or physically accessible to the general public and does not include lands contained within scenic corridors or vista corridors, or
- A proposal to change the land use category to Cultural/Institutional with a municipal, public school or non-profit cultural facility when such a proposed facility is not adjacent to a single-family land use designation (Rural or Suburban Neighborhoods) or does not share direct access to any street that has single-family residential driveway access within one half (1/2) mile of the proposal.
- A proposal within the Downtown Plan area that maintains the same development standards type (e.g. Type 1, Type 1.5 or Type 2) and contains no more than fifteen (15) gross acres or less.

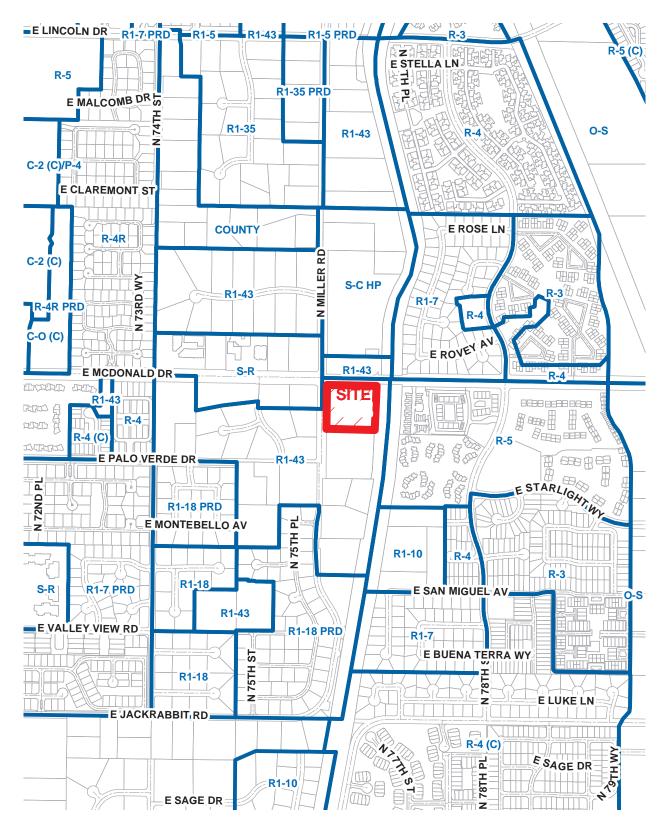
3. Character Area Criteria

Character areas have been added to the city's planning process in order to recognize and maintain the unique physical, visual and functional conditions that occur in distinct areas across the community. The city recognizes that these form a context that is important to the lifestyle, economic well being and long term viability of the community. These areas are identified by a number of parameters including but not limited to building scale, open space types and patterns, age of development and topographic setting.

If a proposal to change the land use category has not been clearly demonstrated by the applicant to comply with the guidelines and standards embodied within an approved character area plan it will be considered as a major amendment. (Note: The character area plans that qualify for consideration as of November, 2000 include the Desert Foothills Plan, Dynamite Foothills Plan, Cactus Corridor Plan and Downtown Plan.)

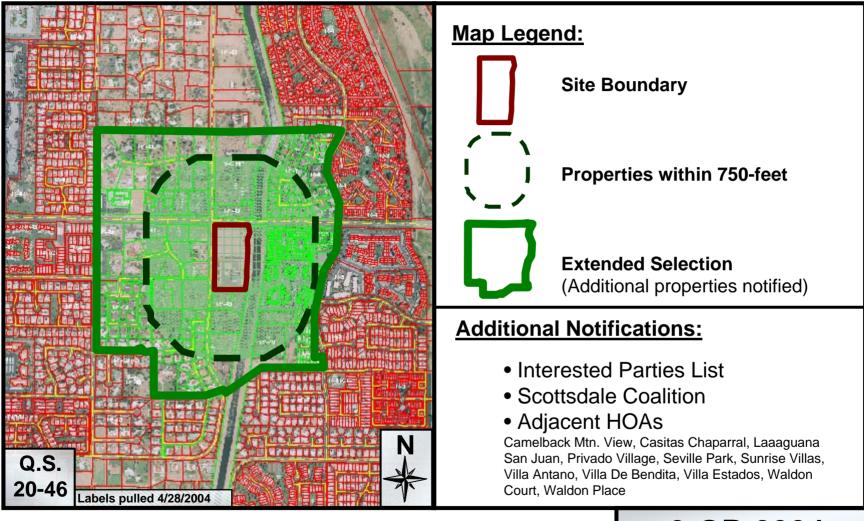
4. Water/Wastewater Infrastructure Criteria
If a proposal to change the planned land use category results in the premature increase in the size of a master planned water transmission or sewer collection facility it will qualify as a major amendment.

If a project applicant wishes to appeal the designation of a General Plan major amendment, the Comprehensive Planning Division Planning Director, or the position equivalent, will evaluate the appeal and make a major amendment determination.



6-GP-2004 & 12-ZN-2004

City Notifications – Mailing List Selection Map



Miller & McDonald

6-GP-2004

<u>6-GP-2004 (Miller & McDonald)</u> request by Dei Professional Services, applicant, Arizona American Water Company, owner, for a General Plan Amendment from Rural Neighborhoods to Office on a 4 +/- acre parcel located at 5975 N. Miller Road (Southeast corner of McDonald Drive & Miller Road).

MR. WARD presented the General Plan Amendment portion of the case in fulfillment of the State legislation for remote hearings.

VICE CHAIRMAN STEINBERG inquired if there is a site plan that shows the utilization of the site.

RON BRISETTE, Brissette Architects, reviewed the renderings noting that the proposed buildings would be residential in character and scale.

VICE CHAIRMAN STEINBERG stated the parking seems to be excessive. He inquired if the parking would be used for professional use or for the Water Company. Mr. Brissette replied it would be for professional use. Vice Chairman inquired if there is a light at the intersection. Mr. Brissette stated that he did not believe there was. Chairman Gulino reported there is a signal.

COMMISSIONER HEITEL inquired if the traffic from that office would migrate into the residential neighborhood by using the south entrance. Mr. Brissette stated that the traffic engineer has not reviewed this but he thought most of the traffic would go towards the arterioles.

COMMISSIONER SCHWARTZ inquired about the neighborhood outreach that has taken place.

CORRINA ESPIRITU, stated she represents Jason Kack who is with Dei Professional Services. She further stated most of the concerns raised were regarding traffic congestion and the height of the building. She further stated that most of the neighbors are for this project because it would improve the landscape.

COMMISSIONER SCHWARTZ inquired if they went door to door. Ms. Espiritu replied in the negative.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

B.J. GONZALES, 6349 N. Cattletrack Road, stated that his residence is directly north of McDonald Road. He stated he is here on behalf of himself and some of the residents in his area, which is the northwest part of Cattle track. Their concern is not with the project but with what Arizona American Water Company is doing. There is a similar proposal on the North side of McDonald. This proposal may in fact alter some of the other applications for the other proposal

area that they have in recognition right now. The timing seems to be done on purpose so to jeopardize utilizing this site in a different manner that may not be consistent with the area. He expressed concern regarding the applicant and their motives for doing things.

COMMISSIONER SCHWARTZ inquired if Mr. Gonzales has had an opportunity to meet with Arizona American Water Company and discuss their plans. Mr. Gonzales replied in the affirmative. Commissioner Schwartz stated that he would encourage Mr. Gonzales between now and the hearing to sit down with the architects to get a better picture of the plan. Mr. Gonzales stated that he has met with city staff and with the Water Company and no one has been able to present him with the full proposal.

VICE CHAIRMAN STEINBERG asked Mr. Gonzales if he has been involved with the rezone west of the site. Mr. Gonzales replied in the negative other than attending the open houses. The concern is with how the proposals are being done and how business is being done with Arizona American Water Company. They want to keep a view on what is happening.

TAMARA MONSON, 7749 E. Solano Drive, stated that she would like to express her high degree of surprise that the people representing the applicant at this meeting have no concept of the neighborhood they are discussing. She further stated as a resident who runs the canals, and drives along McDonald on a daily basis, and lives 750 feet of the property in question. It is her view that the request for this General Plan amendment should be rejected. She reported that she does not want to walk, bike, or drive through her neighborhood and see two more architecturally dissimilar office buildings. She further reported that there is not a need for more office buildings in this area because there are already office space available signs in this area. She discussed her traffic concerns in this area. She noted that she did not want her neighborhood to be even more disjointed and in danger of losing the remaining bit of cohesive attractiveness. She provided an overview of what is currently in this area. She requested they stop the unnecessary sprawl of office space and empty office space.

VICE CHAIRMAN STEINBERG inquired what Ms. Monson would rather see here. Ms. Monson replied residential. She stated that she did not think the applicant had even considered multi- family dwellings.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

COMMISSIONER BARNETT inquired about the rural neighborhood designation shown on the map. Mr. Jones stated it should show as office designation.

CHAIRMAN GULINO inquired what is Dei's relationship to this project. Ms. Espiritu replied Dei is the engineering firm hired by Arizona American Water

Scottsdale Planning Commission August 18, 2004 Page 7

Company to start this whole process. Chairman Gulino suggested that the owner needs to be at the hearing unless they can get up to speed before the hearing.

COMMISSIONER SCHWARTZ suggested that the applicant's representatives go door to door to the immediate adjacent neighborhood and show them the site plan and get their comments before the hearing.

<u>ADJOURNMENT</u>

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 6:10 p.m.

Respectfully Submitted,

"For the Record " Court Reporters